

1 **WO**

2
3
4
5
6
7 IN THE UNITED STATES DISTRICT COURT
8 DISTRICT OF ARIZONA

9 United States of America,
10 Plaintiff,
11 v.
12 Raul Rivera-Rascon,
13 Defendant.

No. 08-7247-M

**ORDER EXTENDING TIME TO
INDICT**

(First Request)

14 HAVING considered Defendant's Motion to Extend Time to Indict and good
15 cause having been shown;

16 THE COURT makes the following findings:

- 17 1. Counsel for defendant has only recently been appointed;
- 18 2. The defendant earnestly wishes to consider the plea offer extended by
- 19 the government;
- 20 3. The defendant wishes to investigate possible defenses prior to
- 21 considering the government's plea offer;
- 22 4. The government's plea offer, if accepted by the defendant and then the
- 23 court, would likely reduce defendant's exposure to a significant term
- 24 of imprisonment;
- 25 5. If the defendant does not timely accept the plea offer prior to
- 26 indictment, the government will withdraw said plea offer and any
- 27 subsequent plea offer after indictment would likely be less
- 28 advantageous to the defendant;
6. Failure to extend time for indictment in this instance would thus operate to bar defendant from reviewing the government's plea offer in a meaningful way prior to indictment; and

...

7. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within the government may seek to indict defendant, is hereby granted.

DATED this 29th day of July, 2008.